

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 213 be amended to read as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning state
- 3 and local administration.
- 4 Page 2, after line 42, begin a new paragraph and insert:
- 5 "SECTION 3. IC 36-6-6-13.5 IS ADDED TO THE INDIANA
- 6 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 7 [EFFECTIVE UPON PASSAGE]: **Sec. 13.5. (a) A special meeting**
- 8 **may be held by the legislative body if the executive, the chairman**
- 9 **of the legislative body, or a majority of the members of the**
- 10 **legislative body issue a written notice of the meeting to each**
- 11 **member of the legislative body. The notice must state the time,**
- 12 **place, and purpose of the meeting.**
- 13 **(b) The legislative body may consider any matter at a special**
- 14 **meeting. However, the only matters that may be acted on at the**
- 15 **special meeting are the matters set forth in the notice.**
- 16 SECTION 4. IC 36-6-6-14 IS AMENDED TO READ AS
- 17 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14. (a) ~~A special~~
- 18 ~~meeting may be held by the legislative body if the executive, the~~
- 19 ~~chairman of the legislative body, or a majority of the members of the~~
- 20 ~~legislative body issue a written notice of the meeting to each member~~
- 21 ~~of the legislative body. The notice must state the time, place, and~~
- 22 ~~purpose of the meeting.~~
- 23 ~~(b) At the any special meeting, if two (2) or more members give~~
- 24 ~~their consent, the legislative body may determine whether there is an~~

1 **a need for fire and emergency services or other** emergency requiring  
 2 the expenditure of money not included in the township's budget  
 3 estimates and levy.

4 **(b)** Subject to section 14.5 of this chapter, if the legislative body  
 5 finds that ~~such an~~ **a need for fire and emergency services or other**  
 6 emergency exists, it may issue a special order, entered and signed on  
 7 the record, authorizing the executive to borrow a specified amount of  
 8 money sufficient to meet the emergency.

9 **(c)** Notwithstanding IC 36-8-13-4(a), the legislative body may  
 10 authorize the executive to borrow a specified sum from a township  
 11 fund other than the township firefighting fund if the legislative body  
 12 finds that the emergency requiring the expenditure of money is related  
 13 to paying the operating expenses of a township fire department or a  
 14 volunteer fire department. At its next annual session, the legislative  
 15 body shall cover the debt created by making a levy to the credit of the  
 16 fund for which the amount was borrowed under this subsection.

17 **(d)** In determining whether a fire and emergency services need  
 18 exists requiring the expenditure of money not included in the  
 19 township's budget estimates and levy, the legislative body and any  
 20 reviewing authority considering the approval of the additional  
 21 borrowing shall consider the following factors:

22 **(1)** The current and projected certified and noncertified  
 23 public safety payroll needs of the township.

24 **(2)** The current and projected need for fire and emergency  
 25 services within the jurisdiction served by the township.

26 **(3)** Any applicable national standards or recommendations  
 27 for the provision of fire protection and emergency services.

28 **(4)** Current and projected growth in the number of residents  
 29 and other citizens served by the township, emergency service  
 30 runs, certified and noncertified personnel, and other  
 31 appropriate measures of public safety needs in the  
 32 jurisdiction served by the township.

33 **(5)** Salary comparisons for certified and noncertified public  
 34 safety personnel in the township and other surrounding or  
 35 comparable jurisdictions.

36 **(6)** Prior annual expenditures for fire and emergency services,  
 37 including all amounts budgeted under this chapter.

38 **(7)** Current and projected growth in the assessed value of  
 39 property requiring protection in the jurisdiction served by the  
 40 township.

41 **(8)** Other factors directly related to the provision of public  
 42 safety within the jurisdiction served by the township.

43 **(e)** In the event the township received additional funds under  
 44 this chapter in the immediately preceding budget year for an  
 45 approved expenditure, any reviewing authority shall take into  
 46 consideration the use of the fund in the immediately preceding  
 47 budget year and the continued need for funding the services and

1       **operations to be funded with the proceeds of the loan.**

2       SECTION 5. IC 36-6-6-15 IS AMENDED TO READ AS  
3       FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 15. (a) If the  
4       legislative body finds that an emergency requires the borrowing of  
5       money to meet the township's current expenses, it may take out  
6       temporary loans in an amount not more than ~~fifty eight~~ percent ~~(50%)~~  
7       **(80%)** of the total anticipated revenue for the remainder of the year in  
8       which the loans are taken out.

9       (b) The legislative body must authorize the temporary loans by a  
10      resolution:

- 11           (1) stating the nature of the consideration for the loans;
- 12           (2) stating the time the loans are payable;
- 13           (3) stating the place the loans are payable;
- 14           (4) stating a rate of interest;
- 15           (5) stating the anticipated revenues on which the loans are based
- 16           and out of which they are payable; and
- 17           (6) appropriating a sufficient amount of the anticipated revenues
- 18           on which the loans are based and out of which they are payable
- 19           for the payment of the loans.

20      (c) The loans must be evidenced by time warrants of the township  
21      stating:

- 22           (1) the nature of the consideration;
- 23           (2) the time payable;
- 24           (3) the place payable; and
- 25           (4) the anticipated revenues on which they are based and out of
- 26           which they are payable.

27      **SECTION 6. An emergency is declared for this act."**

28      Renumber all SECTIONS consecutively.

(Reference is to ESB 213 as printed February 15, 2008.)

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Representative Bosma